

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

Michael A. Singleton,	)	
	)	
Petitioner,	)	C/A No.: 2:12-cv-02339-GRA
	)	
v.	)	<b>ORDER</b>
	)	(Written Opinion)
Warden Eagleton,	)	
	)	
Respondent.	)	
_____	)	

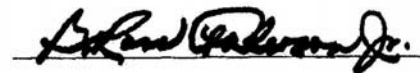
This matter comes before the Court on Petitioner's *pro se* application for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2254. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(c), DSC, this matter was referred to United States Magistrate Judge Bruce H. Hendricks for pre-trial proceedings and a Report and Recommendation. The Magistrate Judge issued a Report and Recommendation on July 25, 2013, recommending that the Court dismiss this action, *sua sponte*, based on Petitioner's unconditional release from the custody of the South Carolina Department of Corrections. ECF No. 41. The Magistrate Judge concluded that Petitioner's release from custody renders the case moot and that the Court lacks jurisdiction to consider Petitioner's claims for federal habeas relief. The Magistrate Judge advised Petitioner of his right to file objections to the Report and Recommendation, and the consequences for failing to do so. Objections were due on August 12, 2013, and Petitioner has failed to file any objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this Court. *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). This Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and this Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). This Court may also "receive further evidence or recommit the matter to the magistrate with instructions." *Id.* In the absence of specific objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After a review of the record, the Court finds that the Magistrate Judge's Report and Recommendation accurately summarizes the case and the applicable law. Accordingly, the Report and Recommendation is accepted and adopted in its entirety.

**IT IS THEREFORE ORDERED** that the petition is DISMISSED as moot.

**IT IS SO ORDERED.**



G. Ross Anderson, Jr.  
Senior United States District Judge

August 15, 2013  
Anderson, South Carolina